

## THE METALS.

Silver, 47 1/2¢ per ounce.  
Copper, 11 1/2¢ per pound. New York.  
12 1/2¢ for 100 lbs. per 100 pounds.  
Lead, 35.50 per 100 pounds.

ESTABLISHED JUNE 6, 1870.

SALT LAKE CITY, UTAH, THURSDAY, JANUARY 22, 1903.

## WEATHER TODAY.

FORECAST FOR SALT LAKE.  
Rain or snow; colder.

PRICE FIVE CENTS.

# ELECTION OF REED SMOOT IS FORMALLY COMPLETED

Apostle in Joint Assembly of Legislature Officially  
Declared Senator-elect From Utah.

Makes a Speech Defining His Attitude—Governor Wells and Chief  
Justice Baskin Also Talk.

## SMOOT'S CERTIFICATE OF ELECTION.

Be it known, that this is to certify, that at 12 o'clock meridian, on the 21st day of January, A. D. 1903, it being the day following that on which proceedings took place by which Reed Smoot of Provo City, Utah, was named by the electors for senator in the congress of the United States for the state of Utah as provided by the laws of congress, the members of the senate and house of representatives at Salt Lake City, capital of said state, a quorum of each house being present, and thereupon the journal of each of said houses was produced and was read, and it appearing from an inspection of said journals, that the said Reed Smoot, had on the 20th day of January, 1903, received a majority of all the votes in each house for senator as aforesaid, he was then and there declared duly elected senator, in the congress of the United States, from the state of Utah, for the term of six years, from March 4, A. D. 1903.

In witness whereof, the president of the senate, the presiding officer of the said joint assembly, and the secretary of the senate, the clerk thereof, and the speaker of the house and the chief clerk thereof have hereunto set their hands this 21st day of January, A. D. 1903, at Salt Lake City, the capital, in the presence of said joint assembly.

EDWARD M. ALLISON, President of the Senate.  
THOMAS HULL, Speaker of the House of Representatives.  
A. W. JENSEN, Secretary of the Senate.  
H. L. CUMMINGS, Chief Clerk of the House of Representatives.

REED SMOOT is now senator-elect from Utah. The two houses of the legislature met in joint session at noon yesterday and Senator E. M. Allison, Jr., as presiding officer of the consolidated body, declared Apostle Smoot to be elected, and presented him with his credentials.

Senator-elect Smoot then made a speech defining his attitude on national issues. Governor Heber M. Wells and Chief Justice R. N. Baskin spoke, and the joint assembly adjourned.

Little time was consumed outside of that spent in speeches. Of these, the addresses of Governor Wells and Justice Baskin attracted fully as much attention as did that of Mr. Smoot. The governor said he was not prepared to state what his opinion was of the legislature's action would be, nor to express an opinion as to the wisdom of their course. Justice Baskin criticised the action of President Roosevelt in attempting to interfere with the choice of any state on the senatorship as contrary to Democratic and Republican principles.

## Scene in the House.

The house chamber was crowded when Speaker Hull called for order at 11:30 o'clock. A large delegation from Provo and other outside cities swelled the throng that fought for a comfortable inch of space. United States Marshal Ben Heywood, with his broad shoulders and smile, and United States Attorney Joseph Lippman, were appropriately way down in the rear. They didn't have a chance to sit down, however, and so they stood up against the wall, gazing on solemnly. Spectators where two years ago, when the legislature's action would be, nor to express an opinion as to the wisdom of their course. Justice Baskin criticised the action of President Roosevelt in attempting to interfere with the choice of any state on the senatorship as contrary to Democratic and Republican principles.

But this pair of Kearns men couldn't stop the Smoot tide, even with the aid of Surveyor General E. H. Anderson, who voted for Kearns two years ago and who was looking for a seat. They were almost lost in the jam. Even the floor of the house was crowded, for many of the members had brought their wives and families. Routine business occupied the time of the house until a few minutes before 12 o'clock, when the senate was announced. All the house members stood up. The senators filed in and took seats in a row of leather-bottomed chairs ranged in front of the representatives' desks, and everybody else who could also sit down. Senator

## WELCOME AT PROVO.

Senator-elect Escorted From Train to Home.  
(Special to The Herald.)

Provo, Jan. 21.—Utah's senator-elect was given a rousing welcome this evening upon his arrival from Salt Lake. A large number of citizens, accompanied by a band, had gathered at the depot and greeted Senator-elect Smoot with enthusiastic cheers as he stepped onto the platform, accompanied by Mrs. Smoot. The band played "See the Conquering Hero Comes."

After congratulations by a number of friends, a procession was formed, led by the senator and Mrs. Smoot, the carriage which had come down for them being discarded, and the march taken up for the Smoot residence, amid the cheers of the crowd and music by the band. At the residence, Senator Smoot made a brief speech from the porch, thanking the people of Provo for their loyal friendship and support, and expressing his love for Provo and her people and the state, and his determination to work to the best of his ability for the progress of the state and nation. He congratulated the party on the manner in which last fall's campaign was conducted and announced that the high office with which he had been honored had come to him without any ante-election pledges on his part. After three cheers and a tiger for Senator Smoot the people went to their homes. In the evening many friends called on Senator Smoot and offered congratulations.

## VETOED BY MAYOR LOW.

Cannon Did Not Boom For Platt in New York.  
New York, Jan. 21.—Mayor Low today refused to appoint a commission, as requested by the board of aldermen yesterday, to investigate the Lincoln club permission to fire guns today in honor of the re-election of Senator Platt. The mayor said: "Since the 100 much care cannot be exercised in the use of explosives in crowded parts of the city."

## PROTESTS FROM IDAHO.

(Special to The Herald.)  
Washington, Jan. 21.—Senator Dubois today filed petitions from Latah, Washington and Shoshone counties, Idaho, protesting against the passage of the Quarles bill, providing for the repeal of the desert timber and stone and other land laws.

Senator Kearns was today notified that the postoffice department will provide a green mail wagon for the Provo post-office.

## RUMOR WAS FALSE.

Rome, Jan. 21.—The rumor that the pope was dead is without foundation. The pontiff gave a number of long audiences today and his callers included Senator Quirino Costa, vice president of the Argentina and the latter's wife and family. The pontiff talked with Senator Costa for one hour.

## BAD FOR BROKERS.

San Francisco, Jan. 21.—Superior Judge Sloss decided today that dealing in margins was illegal. The decision affects nearly all brokers in the city.

## COAL FROM GERMANY.

Berlin, Jan. 21.—American agents are asking terms for 100,000 tons of coal for shipment to the United States.

## SUCH A SURPRISE!



Tom—"Well, this IS an Unexpected Pleasure!"

## THE JAIL IS ELIMINATED FORT SAN CARLOS AGAIN ATTACKED

Anti-trust Bill Introduced by Senator Elkins, Which Is Intended to  
Save Corporate Malefactors From  
Prison Cells.

WASHINGTON, Jan. 21.—Senator Elkins today introduced a bill which covers the features of the anti-trust legislation so far as it relates to railroads. It contains the provisions which have been recommended by Attorney General Knox as to the punishment of those who receive rebates as well as those who give rebates. It provides for the punishment of corporations by fine instead of imprisonment of the officials; also for injunctions to prevent discriminations.

The Elkins bill is the result of conferences among various senators, most of them being members of the interstate commerce commission. Its purpose is to separate interstate commerce and railroads from other legislation. The interstate commerce commission has been unable to agree upon measures which have been pending before it relating to pooling and the fixing of rates by the interstate commerce commission. The new bill leaves these contested questions out and covers features which have been pending in the preparation of anti-trust legislation. The bill was referred to the committee on interstate commerce, of which Senator Elkins is chairman, and it is the intention of the committee to take it up at an early day.

Among those who have been convicted in the preparation of the bill besides Mr. Knox were Senators Aldrich, Cullom, Foraker, Clapp and others. The bill gives the committee power to compel the attendance of witnesses, both carrier and shipper, who are required to answer on all subjects relating directly or indirectly to the controversy; the courts also can compel the production of all books and papers, but all witnesses shall have the same immunity from prosecution and punishment as now provided by law.

## CONSPIRATORS WEAKENED AND PLOT TO LIBERATE HORN WAS FRUSTRATED

(Special to The Herald.)  
Cheyenne, Wyo., Jan. 21.—An attempt was to have been made tonight to liberate Tom Horn, the condemned murderer of Willie Nickell, but one of the conspirators weakened and exposed the plot. Frank Herr, a cowboy, was engaged by Horn's friends to communicate with the prisoner and arrange the details of the escape. Herr stole a saddle and was sentenced to three months imprisonment in the jail in which Horn is incarcerated.

Horn communicated with Herr and gave him written instructions what to do when he, Herr, obtained his freedom. These provided for the purchase of dynamite with which the wall of the jail was to be blown down at a time when Horn was exercising in the corridor. A saddle horse with guns, ammunition, provisions and clothing was to be stationed in an alley near the jail and other provisions made for the escape.

The letter and other evidences of the daring plot are in possession of the officers. A saddle horse with guns, ammunition, provisions and clothing was to be stationed in an alley near the jail and other provisions made for the escape.

## IDAHO IS WELL FIXED KILLED IN SNOWSLIDE

Democratic Administration Left  
a Million Dollars in  
State Treasury.

(Special to The Herald.)  
Boise, Ida., Jan. 21.—The following bills were introduced in the state senate today: By Brigham, to give towns authority to try assault cases and to remove blinds and screens from saloons and for a minimum dog tax of \$1; by Day, for local option; by Cannon, granting general franchise over highways for electric power companies; by Evans, a concurrent resolution for the senate and house finance and appropriation committees to draft a general appropriation bill.

For the second time the house voted today a bill by Moore of Idaho county, to invite capital to the state by a stock party vote. Jenkins, the Republican leader, stated that the measure was premature. The real opposition is because the bill incidentally calls attention to a million dollars in the treasury left by the Democrats.

House bills: By Moore, to repeal all liquor laws and adopt dispensary plan; by Werner, appropriating \$12,000 for a wagon road from Atlanta, Elmore county, to Boise; by Black, appropriating \$15,000 for a supreme court building at Lewiston; by Moore, Fremont, \$200 for expense of members of the supreme court while holding court at Boise.

PRICES BOOSTED.  
New Orleans, Jan. 21.—The Southern lumber manufacturers' convention adopted a report which is in the nature of an agreement to raise the prices of all lumber, on some grades as much as from one to two dollars per thousand.

At the first fire the government soldiers were thrown into confusion, but as soon as they recovered from the surprise they stood up against the rebel forces. The government troops were commanded by Generals Hermsen and Tye. After an engagement which lasted fourteen hours, the fighting going on in the streets and from the houses of Caracacas, the revolutionists were obliged to retreat, leaving thirty men killed and 15 wounded. General Hermsen, who showed great bravery during the fight, is reported to have been wounded in the leg. He

was taken to the hospital and is now recovering from his wounds.

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# REPUBLICANS FAILED TO VOTE IN COLORADO

Democratic Senate and House Met in Joint Session and Cast 45 Votes For Mr. Teller.

Nice Point of Law Involved in the Action of the Anarchistic Adherents of Wolcott.

Denver, Jan. 21.—There were rumors of war and plenty of war-like preparations at the state house tonight. Early in the evening the story gained currency that a body of armed men was hidden somewhere in the state house, with the purpose of seizing the chamber of the house of representatives some time during the night and holding it in the interest of one of the senatorial candidates. The house chamber, heretofore been guarded by three or four men, and early this morning ladders are said to have been found in the chamber, with instructions to protect it at all hazards. Shotguns and large caliber revolvers are very much in evidence, and it is not thought likely that a capture will be attempted, even if it were planned.

The Democratic members of the senate, still in session, although most of them went to sleep upon coats early in the evening. They are protected by perhaps a dozen policemen and deputy sheriffs.

This incident gave color to the rumor of an intended armed attack upon the chamber tonight. To guard against such a contingency Sergeant-at-Arms Palmer placed thirty armed men, under charge of Assistant Sergeant-at-Arms Sherman Bell, who was a member of Roosevelt's Rough Riders, in the chamber, with instructions to protect it at all hazards. Shotguns and large caliber revolvers are very much in evidence, and it is not thought likely that a capture will be attempted, even if it were planned.

The Republican senators held an executive session today. Lieutenant Governor Haggett presiding, and at its conclusion the members said there was nothing to give out. They adjourned until 10 o'clock tomorrow.

All efforts to bring the two senates together have proved unavailing.

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## One Ballot Each Day.

It was admitted that when the two houses did meet it would be necessary to go ahead with the balloting and that one ballot must be taken on each legislative day thereafter, but it was contended there was no requirement that it must meet today and compare the journals.

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